

# planning commission

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## *staff report*

**Date:** April 22, 2003

**Item:** 1

**File:** Adoption of the "Pleasant Hill General Plan 2003"  
Approval of Final Environmental Impact Report ("FEIR")

### **PLEASANT HILL GENERAL PLAN 2003 FINAL EIR ("FEIR") FOR THE DRAFT GENERAL PLAN DECEMBER 2002**

#### **RECOMMENDED ACTIONS**

1. Open and close the public hearing.
2. Adopt the attached Resolution (a) confirming the findings of the FEIR and recommending that the City Council certify the FEIR, and (b) approving the "Draft General Plan December 2002" as modified by attachments to this staff report and Commission direction, and recommending to the City Council approval of the resulting "Pleasant Hill General Plan 2003."

#### **Synopsis**

Since July 2000, the City has been proceeding methodically with a comprehensive update of the General Plan. The Draft Environmental Impact Report ("DEIR") of January 2003 is based on the Draft General Plan of December 2002. The General Plan has been available to the public since January 31 (at the Community Development Counter) and February 3 (at the County Library). The DEIR has been officially available for a statutory 45-day review period since Friday, February 7, 2003, and the review period concluded on Monday, March 24, 2003, at 5:00 p.m.

The Planning Commission was introduced to the DEIR by Consultant Nicole Carter of Crawford, Multari & Clark Associates at a public hearing on February 11, 2003. The Planning Commission held a second public hearing on the DEIR on March 11, 2003, for the purpose of taking additional public testimony.

This April 22 meeting of the Planning Commission consists of a single public hearing covering both the FEIR and the Draft General Plan December 2002. The Consultants, Nicole Carter and Naphtali Knox, will be in attendance to answer questions. The public is encouraged to provide comments.

At the conclusion of the review period for public comment (March 24, 2003), the Consultants prepared an FEIR that incorporated and addressed all written comments from the public and responding agencies.

Once the Commission has reviewed the FEIR and has recommended its certification to the City Council, the Planning Commission may consider and take final action on the Draft General Plan dated December 2002. Final action means acceptance or modification, followed by approval of the General Plan and a recommendation to the City Council that the Plan be adopted.

## **BACKGROUND**

### **Stakeholders**

The General Plan process began with an organizational meeting of City staff and the City's Consultants on August 2, 2000. Staff identified for the Consultants what the likely General Plan issues would be during the two to three year Plan preparation period and over the 10 to 20 year life of the General Plan. Also discussed was the need for the Consultants to interview a small but broadly representative group of Pleasant Hill residents and business people to verify the issues identified by staff and to see what other issues might come up. The interviewees came to be known as "stakeholders."

By mid-August, the Consultants had drafted a questionnaire that was mailed to the stakeholders in advance of individual interviews. Fifteen stakeholders were identified, and the interviews began on Monday, September 11, 2000. The stakeholders included four of the five City Council members (one declined to be interviewed), the general manager and the chair of the Pleasant Hill Recreation and Park District, two citizens at large (one associated with the City's school committee and one a "soccer Mom"), the Student Association president of College Park High school, a local businessman from the Contra Costa Boulevard area, a local board member of the Mount Diablo School District, a member of the City's Commission on Aging, the City Manager, the executive director of the Pleasant Hill Chamber of Commerce, and the chair of the City Traffic Safety Committee.

Interviews were completed in September. The Consultants then set about melding all of the information and reporting back to the consulting team and City staff members about the issues raised and what the Consultants would need to address in a background report.

The Consultants began gathering data for the background report to be published in April 2001 and also met with the Planning Commission on November 14, 2000, to present what had been learned from the stakeholder interviews and to get the commission's "take" on the issues and their relative priority.

### **Background Report**

The April 2001 report described existing conditions in the city and also summarized the key planning issues raised by the stakeholders:

***Traffic***, especially at Diablo Valley College, various schools, and along Contra Costa Boulevard.

***Schools*** – the need for excellence in public education – was given a high priority.

***Housing***. Home purchase is beyond the reach of about half of city residents, and rentals – especially units with more than two bedrooms – are scarce.

***Neighborhoods*** – a desire that remodeled single-family homes remain compatible with surrounding neighborhoods.

***Recreation and Parks***. The community needs more fields, a variety of recreation facilities (particularly for youth activities), and a new senior center.

***Economic Development***. A preference was expressed for small, friendly stores that would help Pleasant Hill retain its small-town atmosphere.

***Visual Quality***. Streetscape and architectural enhancements could help bring about a unified design theme along Contra Costa Boulevard. Signs and amenities at city gateways could promote a distinct city image.

***Mangini/Delu Property***. A preference was expressed for maintaining the existing low-density single-family zoning while attempting to preserve some vestige of the agricultural use of the property.

***Flooding***. The potential for serious flooding needs to continue to be addressed.

***Buchanan Field***. Airport operations affect quality of life and safety in northeastern Pleasant Hill. However, residents only can participate in airport planning decisions via comment to the County Airport Land Use Commission.

***Diablo Valley College***. Explore opportunities to improve the physical and cultural connections between the city and the college.

***Other Issues***. County Library, access and care for seniors, historic and cultural preservation, and downtown outdoor spaces.

### **General Plan Policy Task Force**

Following publication of the Background Report, an 18-person General Plan Policy Task Force (“GPPTF”) was appointed by the City Council to represent a broad range of perspectives in Pleasant Hill. The Task Force met 10 times from May 2001 through May 2002 to determine how the new General Plan should address the issues posed in the Background Report and other issues raised by the public or Task Force members during the GPPTF meetings. Task Force meetings were held on May 31, 2001; July 19; September 20; October 11; November 15; January 17, 2002; February 21; March 14; April 18; and the final meeting was held on May 16, 2002. All

meetings were widely noticed and open to the public. Public comment was invited at every Task Force meeting.

The General Plan Policy Task Force included two representatives from the City Council, two from the Planning Commission, one from the Architectural Review Commission, the local board member from the Mount Diablo Unified School District, the president of Diablo Valley Community College, a senior staff member from the Pleasant Hill Recreation and Park District, a representative of the Chamber of Commerce, a local high school student, the chair of the City's Traffic Safety Committee, a representative of the Committee on Aging, a representative of the Contra Costa Center Task Force, a representative of the Citizens' Advisory Committee on Redevelopment, a representative of the Education and Schools Advisory Committee, and three citizens appointed at large.

Working from the background report and their own knowledge of the community and its issues, the Task Force formulated the major goals, policies and action programs of the new General Plan. In addition, the Task Force considered in detail the potential land uses at five key locations in the city and made the following recommendations for future development:

- ✍ *Contra Costa Boulevard – Facilitate private redevelopment with clustered, higher quality retail, restaurant, convenience, and services uses.*
- ✍ *Contra Costa Shopping Center (former Montgomery Ward's site) – Redesignate from Commercial and Retail to Mixed Use with residential density and nonresidential intensity to be determined under a specific plan that includes both vertical and horizontal integration of uses.*
- ✍ *DVC Plaza (K-Mart) Shopping Center – Retain neighborhood retail, and encourage college-related uses, such as faculty and student housing, parking, cafes, food, and books, as well as open space along the Contra Costa Canal.*
- ✍ *Mangini/Delu Property – Allow single-family housing under the current zoning.*
- ✍ *Former Oak Park Elementary School Site – Devote the majority to flood detention and green space, and allow up to 96 residential units.*

### **The Planning Commission**

Based on the deliberations and decisions of the General Plan Policy Task Force, the Consultants prepared the Draft General Plan Dated May 2002. The May 2002 General Plan incorporated changes to the Housing Element made by the staff and consultants in response to comments received from the California Department of Housing and Community Development ("HCD") on March 15, 2002, with respect to a January 2002 Housing Element draft.

The Planning Commission has held 11 meetings on the General Plan: A special meeting was held May 21, 2002, to review the May Draft of the General Plan, followed by a second study session on May 28. The Planning Commission then held public hearings on June 11, June 25,

July 23, August 20, August 27, September 17, October 8, November 12, 2002, and January 14, 2003. The June 11, 2002, and January 14, 2003, hearings were devoted primarily to the Housing Element. July 23, 2002, was an abbreviated hearing limited to accepting public comment. The August 27 hearing was a Scoping Meeting for the Environmental Impact Report. All seven of the other Planning Commission hearings were wide-ranging and covered various areas and chapters of the General Plan other than housing.

Following are some of the more significant changes made to the General Plan by the Planning Commission during the course of their public hearing deliberations:

- ? Decided to discontinue the 1990 General Plan policy that discouraged encroachment of large scale multifamily residential development into areas designated commercial retail.
- ? Decided to discontinue the 1990 General Plan policy that discouraged General Plan amendments that would redesignate light industrial to other uses.
- ? Decided to discontinue the inclusion of urban design standards and policies on residential site design within the General Plan. Instead, Community Development Program 2.1 on page 11 directs that design guidelines be established in the Zoning Ordinance.
- ? Pages 6-8 of the December 2002 Draft General Plan add an entire section on informing the public and “Administering and Amending the General Plan.”
- ? Table CD1 on page 9 and the text on pages 9 and 10 were changed to convey that the Multifamily Low land use category has been split to create a new Multifamily Very Low designation and (separately) a Neighborhood Business designation was added.
- ? Page 10, added the definition for Mixed Use.
- ? Page 12, kept the 75% rule for rezonings in the Plan, Community Development Program 3.2.
- ? Reached consensus that the Downtown, the Contra Costa Center, the former Oak Park Elementary School site, the DVC Plaza Shopping Center, and Contra Costa Boulevard non-residential properties should be Mixed Use.
- ? Page 15, added Community Development Program 5.3 to provide for incorporating Contra Costa Boulevard nonresidential properties between Downtown and Ellinwood Drive in a redevelopment project area within 10 years.
- ? Page 16, with the addition of the new Very Low Density Multifamily land use category (pages 9-10), added Community Development Program 7.2 calling for gateway treatment along Oak Park Boulevard.
- ? Page 17, view protection: Community Development Program 9.5 was added to “Consider an ordinance to identify and protect significant views of vistas and open space.”
- ? Page 24, revised Community Development Goal 14 to read: “Work to ensure that a state of the art County Library facility, preferably the central library, remains in Pleasant Hill.”

- ? Page 27, added CD Program 17.2, “Work with the Recreation and Park District to establish and achieve a standard of 3 acres of developed park land per 1000 population.”
- ? On page 30, added a sentence that “The City also seeks to avoid power outages and improve aesthetics by undergrounding utilities when and where feasible.” A similar sentence was added in the Safety Element on page 59: “The City policy to reduce hazards relating to utility lines by placing them underground when and where feasible appears under Community Development Goal 24.” And on page 31, added “Goal 24. Place utility lines underground,” followed by Policy 24A and Program 24.1.
- ? On page 38, changed Economic Strategy Program 3.2 to acknowledge planning for a mix of uses “at the Contra Costa and DVC Plaza Shopping Centers.”
- ? Decided that the Disaster Plan should be mentioned in the Safety and Noise Element, and added a statement on page 56 that “The City annually updates its emergency response plan to incorporate new information and technology regarding the range of potential hazards, including from seismic activity.”
- ? Page 58, added Safety and Noise Policy 4 B, “Encourage weed abatement.”
- ? Page 60, added “transformers with PCBs” to a list of hazardous substances.
- ? Page 64, added efforts to control airport and other noise by inserting Safety and Noise Programs 7.4 through 7.7.

Direction from the Planning Commission to staff at the November 12 hearing was to produce a new Draft General Plan to be dated December 2002.

### **The Housing Element**

While the Housing Element will be integrated into the complete General Plan, the Housing Element proceeded along a separate track and has already been adopted by the City Council. The reason for this is that California planning law provides more detailed requirements for the housing element than for any other element of the general plan. The law also set a specific time period to be covered by the Housing Element (January 1, 1999, through June 30, 2006 – whereas the other General Plan elements extend to 2025) and established a completion date (meaning adoption by the City Council) of December 31, 2001. Although it was apparent that the City could not meet that date, every effort was made to expedite the Housing Element process so that drafts could be submitted to the State for mandatory review, State comments could be integrated into the draft Housing Element, and the Housing Element itself could be integrated into the General Plan before the Plan’s completion and adoption.

On January 14, 2002, a Draft Housing Element dated January 2002 was sent to the Planning Commission and the City Council and at the same time was submitted to the California Department of Housing and Community Development (“HCD”) for a statutory 60 day review. The General Plan Policy Task Force devoted its March 14, 2002, meeting entirely to housing. On March 15, comments were received from HCD which the staff and Consultants incorporated in a revised Draft General Plan May 2002. In April 2002, the Planning Commission held a study

session on the Housing Element. On May 16, the General Plan Policy Task Force completed its work on goals, policies and programs and also reviewed the May 2002 Draft General Plan. On May 21, the Planning Commission began a series of public hearings to review the full General Plan, giving its first attention to the Housing Element. On June 11, the Planning Commission completed review of the Housing Element, accepted the environmental analysis and Negative Declaration prepared separately for the Housing Element, and recommended the Housing Element to the City Council for approval. At a public hearing on August 19, the City Council made modifications to the Housing Element, adopted it, and authorized staff to submit it to HCD for a final 90-day review.

On December 2, 2002, HCD telephoned the City's Consultant with a number of questions about the adopted Housing Element. City staff and the Consultants worked throughout that week to answer HCD's many concerns. However, the mandatory 90 day deadline had arrived. On December 9, HCD sent a formal letter to the City spelling out areas where the legal requirements for housing elements had, in their view, not been met and where additional information was needed. The staff and Consultants then continued through the rest of December to revise the August 19th Housing Element to respond to all of HCD's comments. On January 10, 2003, the City's Consultant delivered to HCD a preliminary draft of a third revision of the Housing Element and asked for a meeting in Sacramento between HCD and City officials to be certain that the City had correctly identified and responded to HCD's concerns. That meeting was held on February 10th. In the meantime, on January 14, 2003, the Planning Commission conducted a public hearing on the draft Housing Element dated December 2002. The Commission made two changes to programs in the element, adopted it as the Housing Element of January 2003, and sent it to the City Council.

The Sacramento meeting on February 10 disclosed that additional changes were needed. The staff therefore sent on to the City Council the Housing Element of January 2003 as adopted and recommended by the Planning Commission, along with a staff report detailing the additional information still required by HCD. On February 26, in response to a final set of HCD questions stemming from changes made by staff and Consultants based on the February 10th meeting, HCD sent a letter to the City stating that if the City made the changes as presented at the meeting of February 10th and the further changes recommended between February 10 and February 24, the City could expect that HCD would certify the revised Housing Element as in compliance with Article 10.6 of the Government Code. On March 3rd, the City Council held a public hearing, made some final changes to the land inventory (Table H22), and passed a resolution adopting the "revised Housing Element 2003." On March 10, the City Manager sent the "revised Housing Element 2003" to HCD and requested an expedited final review (shorter than 90 days) so that the element could be incorporated in the final General Plan.

The Housing Element revisions made by the City Council on March 3rd have not been incorporated into the draft December 2002 General Plan which is the subject of the January 2003 DEIR, both of which are on the agenda for public hearing tonight. The Planning Commission should nevertheless be aware of the changes made by the City Council because they affect the Community Development chapter of the General Plan. Those changes are set forth in Attachment C to this staff report.

### **The Final Environmental Impact Report (FEIR)**

The adoption of a General Plan (“the project”) is a discretionary action undertaken by the City. The California Environmental Quality Act (“CEQA”) requires an analysis of the project to fully disclose any potential environmental effects stemming from the proposed General Plan. Accordingly, all of the required environmental analyses have been made, and the steps leading to preparation of the attached FEIR have been strictly followed pursuant to CEQA Statutes and Guidelines, including the following:

A Notice of Preparation (“NOP”), including an Initial Study/checklist, was distributed on June 20, 2002. A Scoping Meeting was held with the Planning Commission on August 27, 2002. A Notice of Availability of the DEIR was posted on February 1, 2003. The DEIR was publicly circulated for the mandatory 45 days, ending March 24 at 5 PM. The Consultants responded to comments received during that time, and mailed comments and responses to all those who submitted comments. The FEIR includes both the comments and the responses, and also lists any changes made to the DEIR as a result of the comments. The FEIR also includes a mitigation reporting plan to confirm the inclusion of suggested policy and program changes in the General Plan.

Prior to adopting the General Plan, the City Council must make certain findings of fact and statements of overriding consideration associated with the FEIR. The Planning Commission is advisory to the City Council, and its role is to recommend or not recommend certification of the EIR to the City Council. CEQA guidelines instruct the Planning Commission to consider the adequacy of the FEIR in addressing environmental impacts, proposing mitigation, and determining “residual levels of significance” (i.e., the significance of any impacts remaining after mitigation). The Planning Commission should also take into account the adequacy of responses in the FEIR to comments received on the DEIR.

### **Major Differences between the Existing and Proposed General Plans**

The proposed Plan is organized such that policies and programs directly follow the specific goal they are intended to implement.

The proposed Plan includes a single omnibus Circulation Map that shows bicycle, bus, truck, scenic, and regionally significant routes, base-year traffic volumes, roadway classifications, traffic signals, and all-way stop intersections.

The proposed Plan includes a new Multifamily Very Low Density land use designation (allowing 7.0-11.9 dwelling units per acre) that has been applied to 556 lots, including nine (formerly 13) on Oak Park Boulevard east of the EBMUD right-of-way where up to 12 additional units could be developed under the new zoning.

The proposed Plan includes a new Neighborhood Business designation (with a 0.35 FAR) that applies to 28 lots covering 22.8 acres: (1) at the southeast corner of Ellinwood Drive and Longbrook Way, (2) at the corner of Pleasant Hill Road and Gregory Lane, (3) along the north side of Oak Park Boulevard at Patterson Boulevard and at Pleasant Valley Drive, and (4) at the



northeast corner of Taylor Boulevard and Morello Avenue. All of these properties are currently zoned NB (Neighborhood Business).

*Significant* portions of the 1990 General Plan focused on redevelopment of the Downtown and Schoolyard redevelopment areas, which has largely been achieved.

The floor area ratio (FAR) for commercial uses has increased from 0.35 to 0.4 to encourage retail businesses, and to comply with the updated Zoning Ordinance.

The existing Plan reserves Mixed Use for Downtown, while the proposed Plan extends Mixed Use (with a maximum 0.75 floor area ratio and 14 dwelling units per acre) to the former Oak Park Elementary School site, to the DVC Plaza Shopping Center, and to nonresidential properties along Contra Costa Boulevard north of downtown to Ellinwood Drive. (Page 4 [bullets]; Economic Strategy Policy 3B, page 37; Economic Strategy Program 3.2, page 38.)

The 1990 Plan includes annexation policies specific to a parcel at Alhambra and Elderwood Drive (which has since been pre-zoned R10A and is designated Single Family Low Density in the proposed Plan). The proposed Plan includes more-general policy and program language to consider annexation of land in the Sphere of Influence when likely to generate positive fiscal benefits to the City and provide open space, housing, or employment opportunities. (Economic Strategy Policy 1B, page 36.)

Whereas the 1990 Plan contains detailed urban design standards, the proposed Plan calls for extending the Downtown design theme and amending the Zoning Ordinance to include design guidelines for future development, redevelopment, and renovation. (Community Development Program 2.1, page 11; and Program 6.1, page 15.)

The Housing Element in the existing Plan was not certified by the State Department of Housing and Community Development, whereas the Housing Element in the proposed Plan embodies exhaustive efforts to comply with the requirements necessary to achieve State certification.

### **Major policies and issues remaining**

- ? A major unresolved issue is how the City will deal with Measure B.
- ? A second issue is which, if any, properties will be assigned the Mixed Use land use designation.
- ? A third issue is whether the new land use designation of Multifamily Very Low will indeed be created and if so, when will it be applied to specific properties in the city.

### **Alternative choices with respect to the remaining issues**

#### **? Issue: Measure B.**

The final decision made by the City Council with regard to 207 and 205 Coggins is consistent with Measure B. The General Plan proposes no change with respect to Mangini-

Delu, so Measure B will not come into play. The Hookston/Buskirk parcel is now zoned R-7 but is designated for Retail Business on the current General Plan. Therefore, Measure B will not come into play there. Only at 1632 Oak Park Boulevard will a re-designation be in violation of the 75% rule of Measure B. If the Planning Commission and City Council wish to apply the new Multifamily Very Low land use designation to one or more parcels on Oak Park Boulevard, Community Development Program 3.2 (page 12 of the General Plan) could be modified to begin with this phrase: "Following adoption of this General Plan, continue to allow ..." That wording would permit the City's legislative bodies to make Land Use Map decisions now in the context of the comprehensive update of the General Plan. At the same time, it would continue the spirit and essence of Measure B by making it applicable to future amendments to the General Plan. Such an action, in other words, suspends Measure B only during this comprehensive review of the General Plan. It would seem that other choices are to remove Community Development Program 3.2 altogether, or to enforce Measure B fully. However, the Commission will recall that, in the City Council adopted Housing Element, the third paragraph under Governmental Constraints is devoted to a full explanation of Community Development Program 3.2, as follows:

"Program 3.2 in the Community Development Chapter of this General Plan will continue the Measure B constraint to allow land use redesignations that increase residential density only when 75 percent of the boundary of the area to be redesignated is adjacent to land with the same or higher-density land use designation. However, an important exemption has been added: Properties deemed unsuitable for single family residential use by virtue of noise, traffic or proximity to nonresidential uses are exempt from the 75 percent rule and may be redesignated for high density residential provided the properties to be redesignated do not induce growth in, or have significant traffic or noise impacts on, existing residential neighborhoods. Based on the City's experience through 2002, the above provisions, as modified, will not negatively impact the development of affordable housing. With respect to projects or sites not already approved and which appear on Table H22, these provisions will not negatively impact the affordability or development capacity of those projects or sites."

The above paragraph cannot be modified without a further amendment to the Housing Element and sending yet another revision to HCD for mandatory review.

? **Issue: Assigning the Mixed Use land use designation to specific parcels.**

At its meeting of March 3rd, the City Council determined that the land use designation of the Contra Costa (Ward's) Center would not change to Mixed Use. It is currently Retail. The Planning Commission can revisit the tentative Mixed Use designations it has made and applied to the Land Use Map. Those include the Downtown, the Contra Costa Center, the former Oak Park Elementary School site, the DVC Plaza Shopping Center, and Contra Costa Boulevard nonresidential properties between Downtown and Ellinwood Drive.

? **Issue: Whether the new land use designation of Multifamily Very Low (MFVL) will be created and, if so, where and when will it be applied.**

This is an issue only because the City Council removed from the Housing Element four of the 13 properties that the Planning Commission had designated as MFVL along Oak park Boulevard. The proposed General Plan still includes 556 lots in the new Multifamily Very Low Density designation, including nine on Oak Park Boulevard east of the EBMUD right-of-way where up to 12 additional units could be developed. The Multifamily Very Low designation was developed by staff in response to concerns raised by citizens during the General Plan review process particularly in reference to the Oak Park Boulevard properties. The existing Multifamily Low Density has an exceedingly large range of 7.0 to 19.9 dwelling units per acre. This range could include small lot single family residential, duplexes, townhouses, and garden apartments. By splitting the Multifamily Low designation in two, the new Multifamily Very Low designation would allow only small lot single family residential, cluster houses, duplexes, and low density townhouses. The higher of the two densities (Multifamily Low) would permit townhouses and garden apartments.

Staff has identified all existing properties that would fall into the proposed new designation for the purpose of consistency between existing conditions on the ground, the General Plan, and the zoning changes that would follow adoption of the Plan.

## **Conclusion**

The December 2002 Draft General Plan contains the goals, policies and programs crafted by the General Plan Policy Task Force in 2001–2002, and honed by the Planning Commission in 2002. It also contains many Planning Commission changes to the text. However, because the Planning Commission has not yet acted upon the FEIR, all Planning Commission decisions made to date are tentative. This is the opportunity for the Commission to review the entire Plan and to make changes before finalizing the document and recommending its approval to the City Council.

## **ATTACHMENTS**

|              |   |
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| Attachment A | Draft EIR dated January 2003  |
| Attachment B | Draft General Plan December 2002  |
| Attachment C | Revisions to the Housing Element as Adopted by the City Council, March 3, 2003.                                 |
| Attachment D | Resolution recommending that the City Council certify the FEIR and adopt the “Pleasant Hill General Plan 2003.” |

Under separate cover, the Background Report, minutes of the General Plan Task Force meetings and minutes of the Planning Commission preliminary meetings have been provided to the Commission.